

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

James E. and Patricia C. Watkins,

Complainants,

vs.

MCI-Metro Access Transmission Services  
(MCI/WORLDCOM), Inc.,

Defendant.

Case 04-07-043  
(Filed July 30, 2004)

**ADMINISTRATIVE LAW JUDGE'S RULING  
GRANTING MCI-METRO ACCESS TRANSMISSION SERVICES'  
MOTION FOR LEAVE TO CONFIDENTIAL INFORMATION UNDER SEAL**

On October 20, 2004, MCI-Metro Access Transmission Services LLC (U-5253-C) (Moving Party) moved, pursuant to Rule 45 of the Commission's Rules of Practice and Procedure, Resolution ALJ-164, and General Order 66-C for leave to file an attachment to Moving Party's answer under seal. The motion is unopposed. In the absence of Administrative Law Judge (ALJ) Maribeth A. Bushey, the motion has been referred to the Law and Motion ALJ for disposition.

The attachment is a settlement agreement that the contracting parties (including Moving Party) agreed to keep confidential. If the attachment is not filed under seal with the Commission, Moving Party may not be in compliance with its obligations under the settlement agreement. Also, in detriment to the

public interest, the future settlement of conflicts among parties appearing before the Commission may be discouraged if certain terms of those agreements cannot remain confidential. Moving Party has agreed to serve the confidential version of Moving Party's answer on complainants.

Good cause appearing, **IT IS RULED** as follows:

1. The motion of MCI-Metro Access Transmission Services LLC (U-5253-C) (Moving Party), filed on October 20, 2004, which motion is unopposed, is granted to the extent set forth below.

2. The confidential information, described above, is proprietary and competitively sensitive information and may be protected under General Order 66-C. Public disclosure of this confidential information likely would be detrimental to the commercial relationship between Moving Party and other parties who entered a settlement agreement. Automatic public disclosure of such information may inhibit future settlements among parties appearing before the Commission and thereby be detrimental to the public interest.

3. The confidential information will remain under seal for a period of two years from the date of this ruling. During this period, the information shall not be made accessible or disclosed to anyone other than (a) Commission staff; (b) complainants; (c) other parties to this proceeding who have executed a reasonable nondisclosure agreement with Moving Party; or (d) upon the further order or ruling of the Commission, the Assigned Commissioner, the assigned Administrative Law Judge (ALJ), or the ALJ then-designated as Law and Motion Judge.

4. If Moving Party believes that further protection of this information is needed after two years, one or more of them may file a motion stating the justification for further withholding the information from public inspection, or for such other relief as the Commission rules may then provide. This motion must be filed no later than 30 days before the expiration of this protective order.

Dated November 4, 2004, at San Francisco, California.

/s/ JOHN E. THORSON

John E. Thorson  
Law and Motion Judge  
Administrative Law Judge

**CERTIFICATE OF SERVICE**

I certify that I have by mail, and by electronic mail to the parties to which an electronic mail address has been provided, this day served a true copy of the original attached Administrative Law Judge's Ruling Granting MCI Metro Access Transmission Services' Motion for Leave to Confidential Information Under Seal on all parties of record in this proceeding or their attorneys of record.

Dated November 4, 2004, at San Francisco, California.

/s/ JANET V. ALVIAR

Janet V. Alviar

**N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to ensure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

\*\*\*\*\*

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.